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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,518	02/28/2002	Vernon D. Erickson	P1631US01	3841

30408 7590 01/24/2003

GATEWAY, INC.
ATTENTION: IP LAW GROUP (MAIL STOP SD-21)
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EXAMINER

LEA EDMONDS, LISA S

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 01/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/086,518

Applicant(s)

ERICKSON ET AL.

Examiner

Lisa Lea-Edmonds

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 9-21 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lee et al.. With respect to claims 9-21, it is clear to see from figures 1-7, Lee et al. teaches an electronic device chassis (30) comprising a bracket (32) for mounting two or more storage devices (20, 22, 24, 25) being oriented in a first plane; a hinge (44) being oriented parallel to the first plane for rotatably connecting the bracket (32) to the chassis (30); and a locking structure (86, 86A) for locking the bracket in a first position. Also, Lee et al. teaches an electronic system (10) comprising; an electronic device chassis (30); a bracket (32) for mounting two or more storage devices (20, 22, 24, 25) being oriented in a first plane; a hinge (44) being oriented parallel to the first plane for rotatably connecting the bracket (32) to the chassis (30) as claimed (see for example figures 1-7). With respect to the hinge structure as claimed, the apparatus of Lee et al. inherently teaches such hinge structure by incorporating US Pat. No. 5,561,893 "Method of Forming a Hinge Structure" (see for example column 4 line 14-20 and US Pat. 5,561,893 issued to the same inventor as the prior art used).

Response to Arguments

2. Applicant's arguments filed 10/17/02 have been fully considered but they are not persuasive. With respect to applicant's remarks concerning claims 9-13, the examiner of record believes applicant's claimed invention does not over come the prior art of Lee et

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al. as stated above. Although the apparatus of Lee et al. teaches an appliance having EMI shielding, that appliance also reads on applicant's claimed invention. Applicant claims an electronic device chassis comprising: a bracket, a hinge, storage devices, a locking structure, and a hinge rod. Applicant also claims an electronic system comprising: a chassis, a bracket, a hinge, storage devices, and a hinge rod. The apparatus of Lee et al. teaches all of the limitations either directly or by incorporation as claimed. With respect to applicant's remarks concerning the term "bracket" the examiner of record is using the definition as stated in the Merriam Webster's Collegiate Dictionary: bracket *n* 1 : an overhanging member that projects from a structure (as a wall) and is usually designed to support a vertical load or to strengthen an angle. Given this definition, what applicant argues is a two part chassis (a chassis and a subchassis) reads on applicant's chassis and bracket structure.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the hinged bracket structure of Lee et al. (5561893).

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 703-305-0265. The examiner can normally be reached on 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1782.

Lisa Lea-Edmonds
Examiner
Art Unit 2835

LL-E

January 16, 2003


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800